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International Criminal Court Project

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Statement of the American Bar Association

14th Session of the Assembly of States Parties of the International Criminal Court

Christopher "Kip" Hale

The Hague, The Netherlands

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Mister President,

On behalf of the American Bar Association (ABA) Center for Human Rights and its Chairman, former ABA President Michael S. Greco who has authorized me to deliver these remarks, we are pleased to address the Assembly of States Parties of the International Criminal Court, the leadership of the Court, fellow civil society representatives and distinguished attendees.

At the outset we express deep appreciation for the determined and effective leadership of the President of the Assembly, Minister Sidiki Kaba, Madame President Judge Silvia Fernández, Madame Prosecutor Fatou Bensouda and Registrar Herman von Hebel. We look forward to our continued work with the leadership of the ICC and to supporting the vital mandates of the Assembly and the Court.

The American Bar Association is a voluntary non-profit professional association that is independent from the United States government with membership open to lawyers around the world. With over 420,000 members, the ABA is strongly committed to the advancement of the rule of law and human rights, and adopts policy positions on substantive domestic and international legal issues, often in opposition to actions or policies of the United States government. A recent example

is the ABA's request to the US Department of Justice to investigate fully all allegations of torture by U.S. officials and to initiate appropriate legal proceedings against all persons who may have violated domestic or international laws.

Since 1978 the ABA has adopted policy positions strongly supporting the establishment of a permanent international criminal court. Over the past forty years, the ABA has adopted a series of policies urging the U.S. government to help create and ultimately join the ICC and to provide greater support to the International Criminal Court.

To implement the ABA's strong policies in support of the ICC, the ABA Center for Human Rights in Washington, D.C., established the ABA's ICC Project. The Project advocates for enhanced US-ICC relations and on the vital role of international criminal justice on world peace and security. By way of example of its work, the ABA's ICC Project and its partners have made significant advances on enactment of US laws that enable greater US support for ICC cases, and similar gains in the passage of crimes against humanity legislation currently missing in US federal law.

The Project is guided by a distinguished eighteen-member multinational Board of Advisors that includes former ICC President the Hon. Philippe Kirsch, former ICC Judge the Hon. Navi Pillay, the Hon. Cherif Bassiouni, and former Associate Justice of the US Supreme Court the Hon. Sandra Day O'Connor, just to name a few.

Looking to the future, the ABA consistently maintains that the rule of law and its numerous benefits are realized only when judicial independence is fully respected, and courts are empowered to fulfill their mandates. While the American judicial system has much of which to be proud these tenets are not foregone conclusions in the United States. The ABA therefore regularly and vigorously advocates before American legislatures, policymakers, and the public at large on the paramount importance of judicial independence, cooperation, and support.

The global non-governmental community to which the American Bar Association belongs must continue to support and advance the ICC's mandate, and to support the efforts of this august Assembly of States Parties and all its members to nurture the Court, to protect the Court's independence, to resource it appropriately, and to ensure that its judicial orders are executed. The ICC is tasked with mankind's most critical global mission: to end impunity for atrocities and bring justice to victims.

The American Bar Association will continue to support the Court and the Assembly of States Parties in every way possible.